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10. (Twice Amended) The device of claim 9, wherein the acceleration section comprises a Laval-type inlet of the conduit, and wherein the smallest cross-sectional flow area of the diffuser is larger than the smallest cross-sectional flow area of the Laval-type inlet, and wherein the swirl imparting section that imparts a swirling motion to the stream comprises a wing device.

11. (Twice Amended) A wellhead assembly comprising a device as claimed in claim 7, downstream of the wellhead.

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13. (Twice Amended) The device of claim 7, wherein the radially outer section of the collecting zone debouches into an annular first outlet for collecting a condensables enriched fluid stream and a central section of the collecting zone debouches into a tubular second outlet for collecting a condensables depleted fluid stream, characterized in that the tubular second outlet is a substantial formed by substantially straight tubular which remains substantially co-axial to the annular first outlet along at least a substantial portion of the tubular's length.

REMARKS

Claims 1-15 inclusive remain in the present application. Claims 2-5 and 9-15 stand as rejected under 35 U.S.C. §112, second paragraph, claims 1-5, 7-11 and 13-15 are rejected under 35 U.S.C. §102(e) and claims 6 and 12 stand as rejected under 35 U.S.C. §103(a). The claims are also provisionally rejected under the judicially created doctrine of obviousness-type double patenting over US patent application No. 09/869,632.

Rejection under 35 U.S.C. §112, second paragraph

A basis for this rejection was said to be that claim 11 calls for a wellhead "choke" and no structure for a choke was described in the specification or figures. The above amendment eliminates the word "choke", leaving the term "wellhead" without the modifier "choke". Applicant submits that a choke is a common element of a wellhead, as can be seen from web sites from any wellhead equipment provider, for example, www.Masterflo.com/Products/Chokes, www.angelfire.com/me/bidzian/Pchoke, www.ABB-controlvalves.com/atwork/pcv.htm, and www.oceanteachsys.com/brochure/Electro/index.htm. A person of ordinary skill in the art would know what was referred to as either a choke, or a wellhead. Elimination of this word from claim 11 also obviates this basis for the rejection.

Other basis for the rejection included use of the term "it", typographical errors in claims 2, 9, and 13, and lack of antecedent basis for "the diffuser" in claim 10. The above amendments correct each of these, including changing the dependence of claim 10 to claim 9, which has an antecedent basis for a diffuser. These basis are also therefore obviated.

Each of the basis for this rejection are therefore respectfully traversed, and withdrawal thereof is respectfully requested.

Rejection under 35 U.S.C. §102(e)

Claims 1-5, 7-11 and 13-15 stand as rejected under 35 U.S.C. §102(e) based on WO 99/01194. This is not a U.S. patent or patent application. Rejection based on this reference under 35 U.S.C. §102(e) is therefore not proper. Recent amendments to section 102(e) may be less than clear, but section 706.02(a) of the MPEP, explaining application of the amended section 102(e), makes it clear that a reference under 35 U.S.C. §102(e) must be "a U.S. Patent or SIR with a filing date earlier than the effective date of the application". The WO publication is not a US patent or patent application. This rejection is therefore respectfully traversed and withdrawal thereof is respectfully requested.

Rejection under 35 U.S.C. §103(a)

Rejection under 35 U.S.C. §103(a) is based on WO 99/01194, and on this publication in view of Chatterji et al. et al. For the reasons given above, WO 99/01194 is not prior art against the present application, and therefore this rejection is respectfully traversed and withdrawal thereof is respectfully requested.

Provisional Rejection Under the Judicially Created Doctrine of Obviousness-Type Double Patenting

Claims of the present application stand as provisionally rejected over US patent application No. 09/869,632. Applicant would be willing, upon indication that the claims of the scope of the present claims are patentable subject matter, to provide a terminal disclaimer with respect to Application No. 09/869,634. Applicant therefore respectfully requests that this rejection be held in abeyance.

Each of the rejections being traversed, allowance of the present claims is respectfully requested. If the Examiner would like to speak with applicant's representative, please feel free to contact Del Christensen at (713) 241-3997.

Respectfully submitted,
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enclosures- petition for one month extension of time
redlined copy of amended claims and specification

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2. (Twice Amended) The method of claim 1, wherein in step B[]) a swirling motion is induced to the supersonic stream of fluid thereby causing the condensables to flow to a radially outer section of a collecting zone in the stream, followed by the subsonic or supersonic extraction of the condensables into an outlet stream from the radially outer section of the collecting zone.

10. (Twice Amended) The device of claim 8 wherein the shock wave initiator is a diffuser, located so that the shock wave is upstreamof the collecting zone.

10. (Twice Amended) The device of claim [7] 9, wherein the acceleration section comprises a Laval-type inlet of the conduit, and wherein the smallest cross-sectional flow area of the diffuser is larger than the smallest cross-sectional flow area of the Laval-type inlet, and wherein the swirl imparting section that imparts a swirling motion to the stream comprises a wing device.

12. (Twice Amended) A wellhead assembly comprising a device as claimed in claim 7, downstream of the wellhead [choke].

13. (Twice Amended) The device of claim 7, wherein the radially outer section of the collecting zone debouches into an annular first outlet for collecting a condensables enriched fluid stream and a central section of the collecting zone debouches into a tubular second outlet for collecting a condensables depleted fluid stream, characterized in that the tubular second outlet is formed by substantially straight tubular which remains substantially co-axial to the annular first outlet along at least a substantial portion of [its] the tubular's length.